UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/532,017	04/20/2005	Gunter Fuhr	B1180/20035	5994
	7590 10/05/200 ISE, BERNSTEIN,	9	EXAM	INER
COHEN & POKOTILOW, LTD. 11TH FLOOR, SEVEN PENN CENTER			ALI, MOHAMMAD M	
	ARKET STREET		ART UNIT	PAPER NUMBER
PHILADELPHIA, PA 19103-2212			3744	
			NOTIFICATION DATE	DELIVERY MODE
			10/05/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@crbcp.com

	Application No.	Applicant(s)	
	10/532,017	FUHR ET AL.	
Office Action Summary	Examiner	Art Unit	
	MOHAMMAD M. ALI	3744	
The MAILING DATE of this communication Period for Reply	on appears on the cover sheet w	ith the correspondence addres	ss
A SHORTENED STATUTORY PERIOD FOR F WHICHEVER IS LONGER, FROM THE MAILIN - Extensions of time may be available under the provisions of 37 of after SIX (6) MONTHS from the mailling date of this communicate - If NO period for reply is specified above, the maximum statutory - Failure to reply within the set or extended period for reply will, by Any reply received by the Office later than three months after the earned patent term adjustment. See 37 CFR 1.704(b).	NG DATE OF THIS COMMUNI CFR 1.136(a). In no event, however, may a life ion. period will apply and will expire SIX (6) MON a statute, cause the application to become Alife.	CATION. reply be timely filed ITHS from the mailing date of this commu	
Status			
1) Responsive to communication(s) filed on	This action is non-final. Ilowance except for formal matt	• •	erits is
Disposition of Claims			
4) Claim(s) 1-26 is/are pending in the application 4a) Of the above claim(s) 21-26 is/are with 5) Claim(s) is/are allowed. 6) Claim(s) 1-20 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and application Papers	hdrawn from consideration.		
9) The specification is objected to by the Exact 10) The drawing(s) filed on is/are: a) Applicant may not request that any objection Replacement drawing sheet(s) including the county The oath or declaration is objected to by the specific sp	accepted or b) objected to to the drawing(s) be held in abeyan correction is required if the drawing	nce. See 37 CFR 1.85(a). (s) is objected to. See 37 CFR 1	
Priority under 35 U.S.C. § 119			
12) Acknowledgment is made of a claim for for a) All b) Some * c) None of: 1. Certified copies of the priority docu 2. Certified copies of the priority docu 3. Copies of the certified copies of the application from the International E * See the attached detailed Office action for	uments have been received. Iments have been received in A e priority documents have been Bureau (PCT Rule 17.2(a)).	application No received in this National Sta	ge
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-94) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date	48) Paper No(Summary (PTO-413) s)/Mail Date nformal Patent Application 	

Election/Restrictions

Newly submitted claims 21-26 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: The new claims 21-23 claims data memory chip which specifically differs from the original claims and belongs to class 340 which involves a different search strategy. Similarly the new claims 24-26 claims a specific feature of data bits which also belongs to class 340 and needs special additional search.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 21-26 have been withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 7-8, 10, 12-13, 15-15 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Smollett et al., (3,292,424). Smollett et al., disclose a cry storage device 22, and at least one data storage device 69 (The examiner considering relay as a data store device to store data when to operate the relay), and at least one sample